SURREY COUNTY COUNCIL

CABINET

DATE: 16 **DECEMBER** 2014

REPORT OF: MR JOHN FUREY, CABINET MEMBER FOR HIGHWAYS,

LEAD TRANSPORT AND FLOODING

OFFICER: TREVOR PUGH. STRATEGIC DIRECTOR ENVIRONMENT &

INFRASTRUCTURE

SUBJECT: SURREY LOCAL FLOOD RISK MANAGEMENT STRATEGY

SUMMARY OF ISSUE:

The Surrey Local Flood Risk Management Strategy (hereafter the Strategy) meets a legal requirement for the County Council to set out how partners are working together to reduce flood risk. This document provides, for the first time, an overview of the ongoing flood risk management work underway across Surrey. The organisations in Surrey with responsibility for flood risk management have worked together to produce the Strategy. Partner organisations and the public were consulted to further develop the Strategy. The Surrey Flood Risk Partnership Board oversees the Strategy.

Residents and businesses do not always distinguish between different types of flood risk; the impact is their key concern. The Strategy will therefore illustrate levels of risk within the county from all sources of flood risk.

Extreme weather events appear to be on the rise, many of Surrey's existing homes and businesses are built in the floodplain and funding is limited. However, through the Strategy there is an opportunity to coordinate services so that the risk of flooding is reduced through a prioritised investment programme. Theintention is that the impact of flood incidents is as minimal as possible.

The Environment Agency has undertaken a review of the significant winter flood incidents in 2013/14 associated with the main rivers in Surrey and Surrey County Council is currently carrying out Section 19 reports into the flooding incidents associated with surface water, groundwater and watercourse flooding. This is required under Section 19 of the Flood and Water Management Act 2010. The Surrey Flood Risk Partnership Board will review the Section 19 reports over the coming year. Surrey's risk management authorities will need to address the concerns raised in the reports.

RECOMMENDATIONS:

It is recommended that the Cabinet:

- 1. Approves and adopts the Surrey Local Flood Risk Management Strategy and action plan, set out in the appendices to this report.
- 2. Approves the active engagement with all risk management authorities through the Surrey Flood Risk Partnership Board.

3. Publicises the findings of the Flood and Water Management Section 19 investigations on the external website.

REASON FOR RECOMMENDATIONS:

The Strategy is a statutory requirement under the Flood and Water Management Act 2010 and sets the framework for flood risk management in the county by the risk management authorities. The Strategy provides a framework for joint work with residents and businesses to reduce risk and prepare for the future.

DETAILS:

Context

- 1. The Flood and Water Management Act 2010 (hereafter the Act) identifies risk management authorities bodies with an interest in flood risk management. The County, in its role as Lead Local Flood Authority, is responsible for the management of flood risk associated with surface water, groundwater and ordinary watercourses, with the Environment Agency having an overseeing role in this as well as their responsibility for managing the flood risk associated with main rivers. The organisations involved include:
 - The Environment Agency
 - county councils and unitary authorities (lead local flood authorities)
 - highway authorities
 - district and borough councils
 - water companies
 - internal drainage boards
- In recognition of this, Surrey County Council has established the Surrey Flood Risk Partnership Board (hereafter the Partnership Board). All Surrey district and borough councils have joined. The board includes senior officer representatives from the Environment Agency and Thames Water.
- 3. The board also includes Surrey's Local Resilience Forum and Surrey Fire and Rescue Service and other key partners. Surrey's Local Resilience Forum (SLRF) was originally established in 1992 to co-ordinate the response of Surrey's emergency services and local authorities to major incidents. It is made up of chief officers from Surrey's 12 local authorities, emergency services, armed forces and others.
- 4. The Partnership Board has overseen the development of the Strategy which is a requirement under the Act, for Surrey County Council to produce as lead local flood authority for the county.
- 5. Extreme weather, existing buildings in floodplains and limited funding means that flood incidents in Surrey can never be totally stopped. However, through the Strategy services will be coordinated so that flood risk is reduced and the aftermath of flood incidents is minimised. The Strategy provides a real opportunity for us to work together with residents and businesses to reduce risk and prepare for the future.
- 6. The Strategy follows guidance set out in the National Flood and Coastal Erosion Risk Management Strategy 2011 and lays out high level ambitions. It

- will be a statutory document that Surrey's risk management authorities must pay heed to.
- 7. The Act requires Surrey County Council to develop a strategy for 'local flood risk'. That is, from surface runoff, groundwater and ordinary watercourses i.e. smaller rivers and streams. The Partnership Board has developed an integrated strategy across all flood risks.
- 8. The Strategy is supported by Surrey County Council's drainage strategy, wetspots programme and other strategies and plans produced by Surrey's risk management authorities including the Environment Agency, sewerage undertakers (water companies) and district and borough councils.
- 9. The action plan, consultation report and Equality Impact Assessment provided at annexes1-4 to this report.

Ambitions and objectives

- 10. The ambitions for the strategy as follows:
 - Drainage strategy The County will develop a long term drainage asset management strategy, which covers highways and ordinary watercourse maintenance. This will improve how we target risk areas in a joined up way.
 - ii. Infrastructure The relevant local authorities will work together with the Environment Agency to ensure the development and implementation of flood risk management strategies on the rivers they are responsible for including the Lower Thames and Upper Mole. This will bring tangible reductions in flood risk to many Surrey communities.
 - iii. Sustainable drainage The County will actively promote the use of sustainable drainage systems in the county. The County also want to encourage more retrofitting of sustainable drainage systems in high risk areas. (This is a process of integrating new solutions to drainage problems into an existing design e.g. a housing development. Measures might include property level protection or sustainable drainage systems).
- iv. Resilience The County will promote flood resilience and resistance measures to 'at risk' households and businesses in Surrey. This will include the continued development and sharing of 'self help' opportunities.
- v. Insurance The County will urge the Government to work with the insurance industry to guarantee the availability and affordability of flood insurance.
- vi. Funding The County will be ambitious in our approach to securing national flood risk management funding, and in exploring additional funding sources. We will assist, where possible, in supporting the funding of property level protection schemes in high risk areas.
- vii. Communications The County will continue to explain what work is underway to reduce flood risk, how this is prioritised and what role flood forums, residents and businesses can play.

- viii. Technology –The County will continue to promote and use innovative technologies, to better understand the nature of flood risk, and identify potential flood risk mitigation measures.
- 11. The Strategy must be compliant with the National Flood and Coastal Risk Management Strategy 2011. The following objectives were tested through the consultation process. The County will;
 - make it easier for risk management authorities to work together.
 - agree the roles and responsibilities of all stakeholders.
 - provide a clear overview of levels of flood risk throughout the county, to enable wider understanding of those risks.
 - consider flooding issues at a regional level. i.e. across border issues with adjacent authorities.
 - reflect and action the concerns of residents and businesses.
 - provide a robust approach to the prioritisation of spending on schemes intended to reduce flood risk.
 - highlight how residents and businesses can help manage risk.
 - develop an annual action plan of priority actions based on the principles set out within the strategy.
 - ensure environmental consequences are taken into account in the design and implementation of any proposed flood risk management measures.

CONSULTATION:

- 12. The County carried out two public consultations in 2012 and developed partnerships in 2013, through the Thames Regional Flood and Coastal Committee, Surrey Flood Risk Management Board, River Thames Scheme Sponsoring Group, Surrey Planning Officers Association and local flood forums.
- 13. Surrey was one of the first lead local flood authorities to publish an initial draft Strategy. In developing the final Strategy:
 - The County has given additional time to forming an adequate response to a new piece of legislation: The EU Water Framework Directive.
 - The County has worked closely with Surrey Planning Officers Association to develop wording on planning issues to assist in their development control and forward planning work. This reflects the National Planning Policy Framework, which came into effect in March 2013.

Consultation analysis

- 14. In total the Countyreceived 376 responses in the two phases of consultation.
- 15. Before the full public consultation, public survey was sent out in January 2012 to capture feedback on flooding issues from residents and businesses. Business networks, residents associations, community flood groups and the parish councils' network received it -119 people responded to the survey.
- 16. It was found that over half of the 257 respondents to the public survey had personally experienced flooding in the last 10 years. Some of them had experienced problems obtaining building insurance. They voiced concerns relating to both surface water flooding and fluvial (river) flooding. The

responses were taken into account in the draft initial Strategy and in the operation of the lead local flood authority.

- 17. Public consultation on the draft Strategy initially ran from 1 September to 30 November 2012. The deadline was subsequently extended to 21 December upon request to accommodate some late responses.
- 18. Overall those that responded to the public consultation agreed with theambitions in the strategy. Half of the respondents said they need further information. The type of information they needed was to help them understand who is responsible for what and what support they could expect. The Strategy now clarifies the responsibility of the different authorities and organisations.

90 respondents provided additional comments, such as:

'The draft LFRMS is comprehensive, informative and suitably aspirational. It is also opportunely well-timed in seeking a more holistic view of flooding and the approaches for its containment.'

'The recent flooding in other parts of the country has highlighted the need to have a strategy – for all the areas you have highlighted, including drainage, infrastructure and insurance.'

'The importance of the local community engagement in all stages of the Flood Risk Management Strategy cannot be overemphasised. They know their area better than any agency...they can provide early warnings...and identify/assist vulnerable people threatened by flooding.'

'Most landowners know they have a responsibility to keep ditches clear but they seem to be very lax.' 'Unfortunately, in my experience, with so many bodies involved, it is far too easy for the various Authorities to pass the buck and blame others.'

As well as property-level flooding, respondents were concerned about potential dangers to road users and pedestrians. Some respondents were concerned about the impact of heavy rainfall and 'flash-flooding' including runoff from private land.

- 19. Respondents identified many localised instances and long-term flooding problems. The 31 comments on our ambitions almost exclusively recommended better road drainage. This emphasises the importance of our ambition for a long-term drainage asset management strategy.
- 20. Following the consultation and subsequent engagement process, it has been concluded that theoriginal ambitions should remain the same with some updating. Also, that our objectives should remain the same as those defined in the National Flood and Coastal Flood Risk Management Strategy.
- 21. The public consultation and partner engagement informed changes to the Strategy. As a result of what people told us, the Strategy has been updated as follows:
 - Made some technical corrections to the content, including more detail on local areas where it was available.

- Inserted case studies with new information and drawn attention to positive initiatives.
- Included roles and responsibilities of land and property owners.

An executive summary will be produced when the final version of the strategy is published.

- 22. The points raised in the consultations have been taken into account along with the priorities of other risk management authorities, which included:
 - Establishing a consistent approach to the level of flood risk being managed.
 - Improve the understanding of the drainage networks in Surrey.
 - Continuing to review the cost benefits of measures.
 - Taking full account of flood risk in the planning system.
 - Recognising the importance of sewerage system improvement.
 - Continuing to reduce risk to road users' safety and improve journey time reliability.
 - Understanding the risks and hazards which are made worse by the potential impact of climate change.
 - Continuing to identify opportunities for schemes to achieve multiple objectives.
 - Provision for delivering on wider environmental objectives.
- 23. As the lead local flood authority, Surrey County Council will continue to document and track the many local flood risk issues raised in the consultation and share these with any other flood risk authorities involved. The County will also use feedback on how respondents want to be updated on flood risk management activity to develop our communications approach.
- 24. In response to officer feedback, the County will continue to develop cross-boundary working. This includes partnership working, where practical, with the Thames Regional Flood and Coastal Committee, River Thames Scheme Sponsoring Group, South East Seven authorities and others.
- 25. The Partnership Board has overseen development of the Strategy. It has engaged in the Strategy via a sub-group and taken items at board meetings.
- 26. The Strategy has been subject to early and formal public consultation. In our early consultation in spring 2012, the survey captured people's flooding issues in Surrey. This helped inform the draft Strategy. To develop the final Strategy, the County wanted to understand the key concerns of risk management authorities, interested organisations, residents and businesses. From September to December 2012, a public consultation was held.
- 27. The Cabinet Member for Highways, Transport and Flooding, and the then Cabinet Member for Community Safety, have been engaged, at key stages in the Strategy development. A member seminar in September 2012 was held and 24 members attended. The Environment and Transport Select Committee scrutinised the strategy on 8 November 2012 and 6 March 2013. The Partnership Board have taken all this into account during the development of the Strategy.

- 28. Officers made presentations to Local Area Committees (a public and/or private meeting).
- 29. A group of Surrey borough and district drainage engineers was convened to help shape the Strategy and delivered presentations to relevant officer groupings such as Surrey Planning Officers Association.
- 30. In June 2013, Surrey Chief Executives (comprising Surrey's 12 local authority chief executives) agreed that the Strategy is appropriate.
- 31. The consultation report is set out in annex 2 to this report.

Financial and Value for Money Implications

- 32. Adopting the Strategy has no direct financial implications for Surrey County Council. The additional individual activities, measures and schemes that are brought forward may have financial consequences, which will be detailed in further reports. The amount of progress made will to some extent depend on our ability to secure funding from external sources, such as Defra Flood and Coastal Erosion Risk Management Grant in Aid (FCRM GiA).
- 33. Surrey County Council currently receives a total of £592,000 per annum through government grant and other sources (retained business rates). Defra has indicated that it intends to make a Flood and Water Grant element of £250,000 available to the County for 2015/16. It is not known if any funding will be made available after this.
- 34. The current government partnership funding arrangements mean that capital and revenue flood schemes will require local funding contributions. The strategy identifies potential national, regional and local funding sources. The County is working with the Thames Regional Flood and Coastal Committee to secure 'local levy' funding; and with the Environment Agency to secure Defra 'grant in aid' for flood schemes.
- 35. The Environment Agency is responsible for allocating central government funding to manage flood and coastal erosion risk in England using the partnership funding approach. This funding is known as FCRM GiA. It goes to flood risk management authorities who use it to pay for a range of activities including schemes that help reduce flood risk.
- 36. The Thames Regional Flood and Coastal Committee (TRFCC) plays an important role in agreeing programmes of work. Through it, the Environment Agency is entitled to raise extra funding from local authorities, known as local levy. The TRFCC is made up of a majority of elected members from local authorities and representatives from other Thames interest groups. Surrey County Council currently contributes around £1 million per annum to the Thames local levy. The Cabinet Member for Highways Transport, and Flooding is Surrey County Council's member appointment to the TRFCC.
- 37. Surrey County Council is working with the Environment Agency and relevant local authorities to progress implementation of the River Thames Scheme. The full scheme would alleviate flood risk to communities along the River Thames from Datchet to Teddington. It is a major piece of economic infrastructure in the largest un-defended floodplain in England. The scheme is newly noted as a pipeline project in the draft Enterprise M3 Strategic

Economic Plan. The scheme is provisionally estimated at £302 million (construction cost) with potential contributions from flood defence grant and local levy of c.£190.4 million, with Surrey County Council contributing £1.5m. The government announced a further £60m of funding in the Autumn Statement on 3 December 2014.

RISK MANAGEMENT AND IMPLICATIONS:

- 38. The Strategy provides a framework for Surrey County Council to work together with land and property owners, utility companies, communities, residents and businesses to reduce risk and prepare for the future.
- 39. The Environment Agency defines flood 'risk' as a combination of the likelihood of floods occurring and the consequences that can happen when they do occur. Managing the risks will help us to minimise the potential consequences to people, businesses, infrastructure and services.
- 40. Joint work on strategic flood risk assessments and developing joint funding bids across neighbouring authorities will ensure that all flood risks within a catchment (a broader area than a district or a borough) are taken into account.

Section 151 Officer Commentary

41. There are no new financial implications associated with the Surrey Local Flood Risk Management Strategy. Individual measures brought forward as a consequence of the strategy may have financial implications, and our ability to progress these measures will to some extent depend on our ability to secure additional funding, e.g. from Defra. Where these measures require a financial contribution from Surrey County Council, to the extent that they are not already provided for in the Medium Term Financial Plan, these will be highlighted in further reports.

<u>Legal Implications – Monitoring Officer</u>

- 42. Section 9 of the Flood and Water Risk Management Act 2010. Outline the responsibilities of the County Council as a lead local flood authority. These require a strategy to be developed, applied and monitored for local flood risk management in its area.
- 43. The Strategy required an Environmental Report in line with the requirements of Regulation 13(2)(a) of the Environmental Assessment of Plans & Programmes Regulations 2004 (SI 2004 No.1633). Natural England, the Environment Agency and English Heritage were consulted and found this report satisfactory. Once the strategy is completed a post-adoption environmental statement should be published in line with Regulation 16 of the Strategic Environmental Assessment Regulations.
- 44. Regulation 61 of the Conservation of Habitats & Species Regulations 2010 (SI 2010 No.490) requires an assessment of the implications of the implementation of the Strategy for the integrity of the SPAs, SACs and Ramsar Sites within Surrey or the surrounding area. Natural England has confirmed implementation of the Strategy would not adversely affect the integrity of any such SPA, SAC or Ramsar Site.

- 45. Section 9 of the Flood and Water Management Act requires the lead local flood authority to consult on the strategy with risk management authorities that may be affected by the strategy; and the public. The consultation took place in 2012 and the results are reported in Annex 2 to this report.
- 46. The public sector equality duty (Section 149 of the Equality Act 2010) applies to the decision to be made by Cabinet in this report. There is a requirement when deciding the recommendations to have due regard to the need to advance equality of opportunity for people with protected characteristics, foster good relations between such groups and eliminate any unlawful discrimination. These matters are delt with in the Equalities and Diversity paragraph below.

Equalities and Diversity

- 47. A full equality impact assessment (EIA) on the Strategy was carried out as set out in annex 3 to this report.
- 48. The Strategy is a framework for plans, strategies and other documents undertaken by partners. Where relevant, the EIA connects existing EIAs including on the Surrey County Council drainage capital works prioritisation process.
- 49. The impacts of the Strategy itself are likely to be positive. All residents in flood risk prone areas, including the vulnerable, will benefit from improved knowledge about flood risk, efforts to involve communities in the process of identifying flood risk solutions and closer working between services and communities. The Strategy will help to ensure that those with protected characteristics are more fully considered during flood risk management in that they will be included in the process which assesses the prioritisation of capital schemes. No impact on staff with protected characteristics is anticipated
- 50. The County will take action as follows:
 - Actively seek funding to deliver flood alleviation schemes in Surrey. By preventing and mitigating the harmful economic impacts of flooding, the Strategy will reduce flood risk and promote economic development.
 - To identify the priority areas for flood risk management, the Partnership Board will take into account areas in Surrey that fall within the top 20% and top 40% of deprived areas in the country.
 - Surrey County Council will boost the score for wetspots where property flooding affects buildings that house vulnerable people, such as care homes, respite centres and shelters.
 - All publications will be made available on request in languages and formats relevant to those with protected characteristics. This will make communication material accessible to all.
 - The County will urge the Government to work with the insurance industry to guarantee the availability and affordability of flood insurance.
- 51. The County have, or will do, the following as a result of the EIA:
 - Add a section on the Gypsy and Traveller community to the Strategy, in the section on roles and responsibilities.
 - Surrey County Council Property Services will continue to work with the council's Emergency Management colleagues during flood events.

- The Environment Agency should encourage the Gypsy and Traveller community to sign up to Floodline Warnings Direct.
- Surrey County Council has plans to re-develop the Chertsey Bridge/ Littleton site including measures to mitigate flood risks. The site is next to the River Thames.
- Surrey planning authorities should consider flood risk in the planning of any new Gypsy and Traveller sites.

Climate change/carbon emissions implications

- 52. The Flood and Water Management Act 2010 requires the Council to contribute toward the achievement of sustainable development in exercising our flood risk management functions. Managing flood risk is also a positive contribution to adaptation to climate change.
- 53. The Strategy takes account of the UK Climate Change Risk Assessment (January 2012) and the Future Surrey Study 2010 and the Surrey Local Impacts Profile 2009.
- 54. The potential impacts of climate change are a key concern for the land use planning process, as local planning authorities need to consider possible changes in flood risk from all sources over the lifetime of a development.
- 55. The County recognises that there is currently limited analysis of the potential changes resulting from surface water flooding alone. Where resources allow, the Countywill work with Surrey district and borough councils to prepare surface water management plans and statements. It will also help them to update their strategic flood risk assessments.

WHAT HAPPENS NEXT:

- 56. The County will do the following:
 - Publish the strategy on the Surrey County Council website.
 - Publish an executive summary alongside the strategy.
 - Publish a post-adoption environmental statement.
 - Inform the respondents to the public consultation of its publication.
 - The Partnership Board will provide an annual progress report to the Environment and Transport Select Committee and Directorate Leadership Team for Environment and Infrastructure. The outcomes and decisions of the Partnership Board will feed into the TRFCC.
 - The County will review the Surrey Preliminary Flood Risk Assessment in 2016, which is a key evidence base for this strategy. At this stage, there will be a full review of the strategy.
 - However, given that our knowledge and understanding on flood risk will improve significantly in the coming years, there must be opportunities to update the strategy as new information becomes available. For this reason the strategy should be viewed as a 'living document'.

Contact Officer:

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Consulted:

Cabinet Member and Cabinet Associate, for Transport, Highways and Environment 3 April 2014.

Environment and Transport Select Committee, on 6 March 2013.

Strategic Director Environment & Infrastructure.

Assistant Director, Highways.

Annexes to the report:

- 1 Strategy Action Plan.
- 2 Consultation report Surrey Local Flood Risk Management Strategy.
- 3 Equality Impact Assessment Surrey Local Flood Risk Management Strategy.

Sources/background papers:

Draft Surrey Local Flood Risk Management Strategy, supporting maps, <u>Surrey County Council - Surrey Local Flood Risk Management Strategy</u> – published on the Council's website.

Minutes of the Environment and Transport Select Committee 12 January 2013.

Minutes of the Environment and Transport Select Committee 6 March 2013.

Terms of reference for the Surrey Local Flood Risk Partnership Board.

The National Flood and Coastal Erosion Risk Management Strategy 2011.

The Flood and Water Management Act 2010.

The Flood Risk Regulations 2009.

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